

W 02195B-10-0146



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ORIGINAL

ARIZONA CORPORATION COMMISS

UTILITY COMPLAINT FORM

Investigator: Brad Morton

Phone: 2010 JUN 23 P 3:02

Fax:

Priority: Respond Within Five Days

ARIZONA CORPORATION COMMISSION  
DOCKET CONTROL

Opinion No. 2010 - 87543

Date: 6/22/2010

Complaint Description: 08A Rate Case Items - Opposed  
N/A Not Applicable

First:

Last:

Complaint By:

John

Goulette

Account Name:

John Goulette

Home:

Street:

3 [unclear] Street

Work:

City:

Payson

CBR:

State:

AZ

Zip: 85541

is:

Utility Company:

Bonita Creek Land and Home Owners %Harry Viezens

Division:

Water

Contact Name:

Contact Phone:

Nature of Complaint:

Docket No W 02195B-10-0146

Arizona Corporation Commission

DOCKETED

JUN 23 2010

From: John Goulette

Sent: Tuesday, June 22, 2010 1:21 PM

To: Bradley Morton; Kimberly Ruht; Utilities Div - Mailbox

Subject: New Evidence re: Docket # W-02195B-10-0146

DOCKETED BY

*mm*

To Arizona Corporation Commission,

Members of the community have sent me more documents to prove falsification of records, documents, and misappropriation of funds (co-mingling of funds).

Lets start at the beginning, September 2004, Bill (William Glaunsinger) tells the community that the new name of the association will be Bonita Creek Property and Preservation Association (BCPPA) and to make checks payable to the BCPPA. See attachment (2004 annual letter and 9-04 minutes BCPPA). This effectively hi-jacked innocent members of the Bonita Creek Land and Homeowners Association (BCLHOA) into joining BCPPA. As you can see in the letter and agenda there was NOT a vote to change the name by the members. This took the \$25,930.00 that BCLHOA had and gave it to the BCPPA.

I began wondering what was going on when the board hired a board member to run the water system in October 2009. In reviewing the minutes of 02-2009 (attached 2-09 BCPPA Minutes) I discovered that Bill got \$3,000 for (operation monies?) and another \$400 for operator training. Under the heading "water company" it states that a level three license is needed to operate the Bonita Water system. This is not true!!! I am a grade 2 and that is all that is needed. I asked Lita Washburn (treasurer) about the \$3,000 and \$400 (of which I did not receive a penny) who got the money. First she denied all of it until I told her that I had a copy of the minutes, then she told me that no one got any money. I asked to see the books for the BCPPA, BCLHOA, and the BWC (Bonita Water Company). Lita said the books are open for anyone to see, but still I have not been able to see them. The

# ARIZONA CORPORATION COMMISSION

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BCPPA gets money from dues, the BWC gets money from water customers, where does the BCLHOA get its money if not from co-mingling funds (attached BCLHOA Tax Ck). Maybe the ACC can get a look at the books.

A petition was sent to Brad Morton in October 2009 signed by 47 members of the community to have the ACC look into separating the water company from the association. In part it said "I would like for the commission to reconsider their decision made on March 1996 Docket # U-2195-95-494 Decision # 59548. This decision declined to order the Bonita Creek Land and Homeowner Association to separate the two entities; the association and the water company."

This petition had the ACC look into the BCPPA and in 2010 Bill filed Articles of Amendment with the ACC stating that the membership voted to change the name in September 2005. First there were no members of the BCLHOA to vote for a name change in 2005. I have a letter and documents that shows that in 2005 the association was BCPPA and there wasn't a vote (attached Fine Letter). In Bill's attempt to cover up, he made new documents for the records (attached 9-05 Bill minutes and 9-05 Bill agenda) the new white paper was a dead give away against the aged paper of the other documents. If you check Bill's agenda against what was sent out to Fine you will see that Bill added V.e which stated a vote was taken. Bill not only falsified the ACC document by stating that BCLHOA members voted to change the name, but made a new false records document to reflect the lie in the first document.

Now Bill is trying to take away the water company assets of the BCLHOA from the community who wishes to have the water company as a separate entity. Our annual meeting takes place September 4, 2010 where the election of new officers takes place. Shortly after, it is hoped, by the community, that the new board will grant the wishes of the community members and the BCLHOA members will adopt a new constitution and by-laws recognizing the association as a water utility whose sole purpose is the operation of the water company. The new board for the BCPPA will hopefully return all monies that belong to the BCLHOA.

This is why myself and many of the property owners have sent in so many letters in opposition to the transfer of assets that the BCPPA has filed with you. We do not consider the BCPPA as having a legal right to the assets that belong to the community since it was formed without community consent. We ask, once again, that the ACC refrain from taking any action on this docket until the community has the chance to rectify these problems from within by voting in a new board for the BCPPA in September.

Thank you.

John Goulette  
389 W. Burnt Point Trl.  
Payson, AZ 85541  
Bonita Creek Ranch Lot 1  
928-978-2163

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Eight attachments

1. Sept 4, 2004 Association meeting minutes
2. Letter to residents from Bill Glaunsinger regard Sept 4 meeting.
3. Agenda for Sept 4, 2004 meeting
4. Minutes from February 20, 2009 Association meeting.
5. Letter from Charles L Fine to Mr Goulette dated June 18, 2010
6. Letter regardin Sept 3, 2005 dedication of the refurbished Dude Fire Memorial.

**ARIZONA CORPORATION COMMISSION**  
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7. Sept 3, 2005 Association meeting minutes.

8. Check for \$429.16 dated 11/21/08 to Gila County Treasurer Debora Savage. Signed by Lita Washburn.  
\*End of Complaint\*

**Utilities' Response:**

**Investigator's Comments and Disposition:**

Opinion docketed, attachments attached to original Opinion in file.  
\*End of Comments\*

**Date Completed: 6/22/2010**

**Opinion No. 2010 - 87543**

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